

3764



PATENT  
Appln. Ser. No. 10/055,849  
Communication Under 37 C.F.R. §1.178(b)  
Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#1/55  
10-6-03

Appl. No. : 10/055,849  
Applicant : N.P. Van Brunt et al.  
Filed : January 14, 2002  
Title : OSCILLATORY CHEST COMPRESSION DEVICE  
  
TC/A.U. : 3764  
Examiner : D. D. DeMille

RECEIVED  
MAY 20 2003  
TECHNOLOGY CENTER R3700

Docket No. : 12653/13

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION REGARDING LITIGATION**  
**PURSUANT TO 37 C.F.R. §1.178(b) AND MPEP §1442.04**

Sir:

The following pleadings entered in Advanced Respiratory, Inc. v. Electromed, Inc., Case No. 00-2646 DWF/SRN, United States District Court District of Minnesota is relevant to the above-captioned patent application and is enclosed as follows:

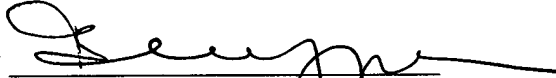
**Exhibit 1:** Memorandum Opinion and Order entered on May 8, 2003 granting summary judgment of the validity of U. S. Pat. No. 6,036,662 (the patent which is the subject of the present reissue application) among other issues. The Examiner's attention is directed to pages 18-19 regarding the full order.

**Exhibit 2:** Notice of Jury Trial Set For July 8, 2003 entered on May 7, 2003.

Dated: 05/09/03

Respectfully submitted,

**OPPENHEIMER WOLFF & DONNELLY LLP**

By 

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